

**Notice of Allowability**

Application No.

10/616,758

Examiner

Isaac M. Woo

Applicant(s)

PASS, DWAYNE

Art Unit

2162

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed on 5/19/2005.
2. ☒ The allowed claim(s) is/are 2-5.
3. ☒ The drawings filed on 19 May 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### **DETAILED ACTION**

1. Claims 2-5 are presented for examination. Claim 1 is canceled. This office action is in response to the Amendment filed on May 19, 2005.

#### ***Allowable Subject Matter***

2. Claims 2-5 are allowed.

#### ***Reason For Indicating Allowable Subject Matter***

3. The following is a statement of reasons for the indication of allowable subject matter: Claim 2 identifies distinct feature of two-way wireless device system adapted for interactive communications between s subscriber and an on-line service. The closest prior art Laursen (U.S. Patent No. 6,292,657) and/or Tabuki (U.S. Patent No. 5,706,427) disclose, wireless device, wireless server, the wireless device and the wireless server being in communication such that a message can be transmitted between the wireless device and the wireless server, the message containing user information and request information, an on-line service, the on-line service having a web page for data input, the database capable of receiving and storing the request information and the user information sent from the wireless server after the request information and the user information has been parsed from the message, the database containing

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authorized user-information allowing authentication of users, the database capable of comparing the user information sent from the wireless server to the authorized user information stored in the database to authenticate users, sending such output data in the form of an output message information to the database, the database capable of receiving and storing, the output message information sent from agent, the database capable of returning the output message information stored in the database to the wireless server for sending the output message from the wireless server to the wireless device, database capable of returning the interest information output message stored in the database to the wireless server for sending the interest information output message from the wireless server to the wireless device. The prior art does not address the two-way wireless device system for the data input being automatically accomplished by the wireless server using agents, the agents being software subroutines contained on the wireless server, the agents being programmed to independently interact without user input with the web page of the on-line service for data input of the request information to the on line service, the agents being programmed to independently interact without user input with the web page of the on-line service for retrieving output data from the web page of the on-line service in response to data input from the agents in response to the request information, the interest information feed being a source of real time information regarding a subject of interest to users, the database having the real time information automatically fed into the database from the interest information feed, the database capable of comparing the request information with the interest information stored in the

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database. Laursen (U.S. Patent No. 6,292,657) and/or Tabuki (U.S. Patent No. 5,706,427) fail to suggest the claimed limitation as mentioned above in combination with other limitations of the dependent and independent claims. The claims 3-5 are hereby allowed.

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***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
June 8, 2005

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER